IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

WP(C).No. 31720 of 2006(A)

AGAINST THE ORDER IN E.P.598/2003 IN
OS.951/1999 of II ADDL.SUB COURT,THRISSUR

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PETITIONER:

K.J. LAWRENCE, AGED 50 YEARS,
S/O.JOSE, KOLLANNOORTHARAYIL HOUSE,
KUTTOOR, KOTTEKKAD, THRISSUR.

BY ADV. SRI.K.A.SREEJITH

RESPONDENTS:

THE MANAGER, SOUTH INDIAN BANK LTD.,
OTTAPALAM.

BY ADV. SRI.K. PRABHAKARAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/11 /2006 THE COURT ON 29/11/2006 DELIVERED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

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W.P.(C) NO.31720 OF 2006

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Dated this the 29th day of November,2006

JUDGMENT

Petitioner is the judgment debtor. Respondent is the decree holder. For the realisation of the decree debt, respondent filed E.P.598/03 before Sub Court, Thrissur. When the property was put up for sale, petitioner filed Ext.P2 application to adjourn the sale to another day from 30.10.06. Executing court granted adjournment and it now stands posted for sale to 30.11.06. It is for the petitioner to make payment before the Executing Court and seek adjournment. If petitioner pays or deposits Rs.25,000/- Executing Court shall adjourn the sale. Learned counsel appearing for petitioner submits that he may be permitted to pay the decree debt. It is upto the petitioner to apply before executing court for payment of the balance amount in instalments. If such an application is filed, executing court has to pass appropriate

order in accordance with law.

Writ Petition is disposed as above.

M.SASIDHARAN NAMBIAR
JUDGE

tpl/-

M.SASIDHARAN NAMBIAR, J.

W.P.(C).NO. /06

JUDGMENT

SEPTEMBER,2006